

## **CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/619,069 is being electronically transmitted to Technology Center 1733, via EFS-WEB, on December 4, 2006

/Kevin G. Rooney/  
Kevin G. Rooney, Reg. No. 36,330

December 4, 2006  
Date

**PATENT**

### **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Reuben Brock et al.  
Serial No.: 10/619,069  
Filed: July 14, 2003  
Examiner: Jeff H. Aftergut  
Art Unit: 1733  
Confirmation No.: 6962  
Title: METHOD OF SECURING ELASTIC STRANDS TO FLAT  
SUBSTRATES AND PRODUCTS PRODUCED BY THE METHOD  
Attorney Docket: NOR-1115

Cincinnati, OH 45202

December 4, 2006

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

### **SECOND RENEWED PETITION UNDER 37 C.F.R. § 1.78(a)(3)**

In response to the second Decision on Petition mailed on November 22, 2006 (the Second Decision), Applicant hereby petitions, in accordance with § 1.78(a)(3), to claim the benefit under 35 U.S.C. § 120 of prior copending nonprovisional application number 10/283,690 filed on October 30, 2002. The only issue raised in the Second Decision related to an incorporation by reference of provisional application Serial No. 60/364,811, which the Petitions Attorney deemed improper. An Amendment is being filed concurrently herewith under 37 C.F.R. § 1.121 to correct this matter.

Applicants state that this entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(2)(ii) of 37 C.F. R. § 1.78 and the date this claim is filed was unintentional.

Since the surcharge fee of \$1370.00 was previously paid, Applicants believe that no other fees are due. However, if any other fees are necessary, the Commissioner is hereby authorized to charge any underpayment or fees associated with this communication or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

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